



Town of Uxbridge
Zoning Board of Appeals
21 So. Main St.
Uxbridge, MA 01569
(508) 278-6487

DECISION

FINDING/DECISION

ZBA Case# FY08-16

Zone: Agricultural Zone

Property Location: Street Address: 0 Quaker Street, Uxbridge, MA

Town of Uxbridge Assessor's Map 51 Parcel 2341 & 1438

Worcester County District Registry of Deeds' Bk. 17112, Page 323

Applicant Name(s) / Owner Name(s): Richard Hurteau

BACKGROUND

The applicant / owner of record Mr. Richard Hurteau filed an application for Variance from Zoning By-laws for frontage on property located at 0 Quaker Street, Uxbridge, MA shown on the Town of Uxbridge Assessor's Map 51, Parcels 2341 & 1438 and recorded in the Worcester County District Registry of Deeds Book 17112 page 323 and 29595 page 232 located in Agricultural zone. The applicant proposes to build a single family home, horse barn or possibly a kennel on property in Uxbridge. The property is located on the town line with Millville, and has no frontage in the Town of Uxbridge. Access to the property would be by way of frontage on a road in the Town of Millville. Mr. Bentley recused himself due to conflict of interest and did not participate in the discussion or vote.

SUBMITTALS

Application form and materials, received November 9, 2007, and including the form, copy of abutters list, plot plan and fees.

Additional correspondence was received as follows:

- correspondence from Mr. Hurteau to the ZBA, dated July 16, 2007;
- correspondence from Mr. Hurteau to P&ED Director, dated October 5, 2007;
- email correspondence to and from Mr. Hurteau and P&ED Director, dated October 15, 2007 and October 16, 2007;
- email correspondence from ZBA Clerk to Mr. Hurteau, dated January 3, 2008;

- correspondence from Mr. Hurteau to the ZBA, dated February 22, 2008;
- correspondence from Mr. Hurteau to the ZBA, dated February 25, 2008;
- email correspondence to Mr. Hurteau from P&ED Director, dated February 25, 2008

Interdepartmental Correspondence was received as follows:

1. Correspondence from Plan/Zoning Clerk to the ZBA dated July 19, 2007.
2. Correspondence from the Building/Zoning Inspector dated August 28, 2007
3. Email correspondence from P&ED Dept. to ZBA Chair, dated 9/14/07 and 9/13/07
4. Mass General Law correspondence distributed during the Public Hearing December 5, 2007
5. Correspondence from P&ED Director to the ZBA, dated February 6, 2008
6. Correspondence from P&ED Director to ZBA, dated February 25, 2008
7. Correspondence from ZBA Clerk to ZBA, dated February 27, 2008
8. Meeting Minutes dated July 18, 2007, October 3, 2007, December 5, 2007 and March 5, 2008

DELIBERATIONS AND DECISION

At a meeting of the Town of Uxbridge Zoning Board of Appeals a duly noticed public hearing was opened on December 5, 2007 and, following input, the hearing was continued to January 16, 2008. The Zoning Board of Appeals Meeting for January 16, 2008 was cancelled and therefore the Public Hearing was then continued to February 6, 2008. Following input, the hearing was again continued to March 5, 2008 and at which time and following input the hearing was closed.

MOTION by Mr. Lutton to render a Finding and Decision, that the proposal for development of property shown as Uxbridge Assessor's Map 51 Lot 2341, to the extent that it qualifies for an "agricultural exemption" pursuant to state law is approved as it is an accessory use to a lawful primary use on property owned by the applicant and identified as Millville Assessor's Map 125, Lot 14, 70 Quaker Street. Access to the proposed structure will be from Quaker Street, and is not intended to be through Assessor's Map 125 Lot 8 (in Millville). Any structure supporting the agricultural use would be located entirely within the Town of Uxbridge. Seconded by Mr. Desilets, the motion carried unanimously (3 – 0).

(continued)

Voting Board Member Signatures:

Thomas Bentley

Bruce Desilets

Charles Lutton

Appeals, if any, from this decision shall be made pursuant to M.G.L. Chapter 40 A, Section 17 and filed within 20 days after the date of the filing in the Office of the Town Clerk.

I hereby certify that twenty (20) days has elapsed from the file date and no appeal has been filed in this office.

A true copy: ATTEST

Town Clerk/Assistant Town Clerk

***YOU ARE REMINDED OF YOUR
RESPONSIBILITY TO RECORD THE
DECISION AT THE REGISTRY OF
DEEDS PER THE CERTIFICATE OF
GRANTING**

Town Seal